

Serial Number: 10/766,657

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OCT 16 2006

Claims 1 and 3-11 are pending in the present application after this amendment cancels claim 2 and adds new claim 11. Claim 1 is amended by this amendment. No new matter is added by the amendments and new claims, which are supported throughout the specification and figures. In view of the amendments and the following remarks, reconsideration and allowance of the present application are respectfully requested.

Applicants note with appreciation that the Examiner has returned the PTO-1449 forms submitted with the two Information Disclosure Statements ("IDS") filed in the present case. However, Applicants note that the IDS filed on December 13, 2005 includes a reference to a Chinese Office Action in the non-patent literature documents section of the PTO-1449 form, and that this reference was not initialed by the Examiner. Applicants respectfully request that another copy of this PTO-1449 form be returned in the next Office communication with this reference initialed.

Applicants respectfully request that the Examiner acknowledge the priority claim and receipt of all certified copies of the priority documents for this application in the next Office communication.

Claims 1 and 3-10 (claim 2 having been canceled) stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, the Examiner objects to terms "formed by" and "installed inside" as being method steps in an article claim. Applicants respectfully traverse.

Applicants respectfully direct the Examiner's attention to MPEP § 2173.05(p), which indicates that product-by-process claims are proper. In particular, "[a] product-by-process claim, which is a product claim that defines the claimed product in terms of the process by which it is made, is proper" (MPEP § 2173.05(p); citations omitted). Claim 1 illustrates a rack structure

Serial Number: 10/766,657

body for a machine and recites the element of a frame body including a main frame part and a sub frame part, as well as method steps formed in creating the parts of the frame body.

Applicants respectfully submit that the recited rack structure body is a proper product-by-process claim, and it is therefore requested that the rejection be withdrawn.

Claim 1 and 3-10 (claim 2 having been canceled) stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,814,244 to Hathcock (hereinafter referred to as Hathcock). Applicants respectfully traverse.

Initially, Applicants note that Hathcock is not a proper § 102(b) reference, and Applicants therefore request that the next Office communication include another statutory basis for the rejection if the reference is again cited against the present application.

Claim 1 relates to a rack structure body for a machine that includes a frame body provided at one of a front surface side and a back surface side of the rack structure body. In the rack structure of claim 1, the frame body includes a main frame part formed by bending and a sub frame part formed by bending, and the sub frame part is installed inside of the main frame part. Furthermore, in claim 1, the frame body has a hollow structure. In amended claim 1, *a bent part of the sub frame part comes in contact with a bent part of the main frame part, so that the sub frame part reinforces and supports the main frame part.*

The Examiner relies upon the description of an outer "stationary frame assembly 14" and an inner "gate frame 16" in Hathcock as alleged disclosure of the claimed main frame part and sub frame part, respectively. In Hathcock, a pin 81 of a gate frame 16 apparently resides in a pin receptacle 67 (Hancock; col. 6, line 30) of a stationary frame assembly 14 so that the gate frame 16 is received in the stationary frame assembly 14 and supports the stationary frame assembly 14.

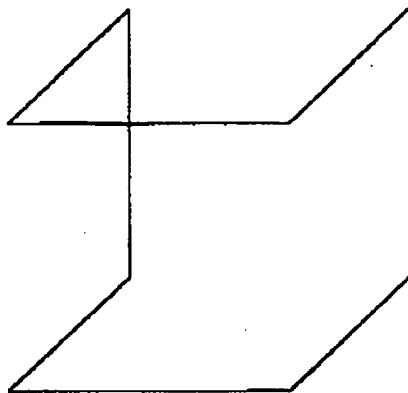
Serial Number: 10/766,657

On the other hand, in the present invention, as indicated in amended claim 1, a bent part of a sub frame part comes in contact with a bent part of main frame part, so that the sub frame part reinforces and supports the main frame part. By this structure, the benefits discussed at page 16, line 31 through page 17, line 33 of the specification are obtained. In particular, the present invention has the advantage that it is possible to smoothly fit-insert the back surface side sub frame body 44 to the back surface side main frame body 43, and, when the front surface part 64 of the back surface side sub frame part 44 comes in contact with the circumference edge part 54-3 of the back surface side main frame part 43, the contact part 60-1 of the back surface side sub frame part 44 comes in contact with the contact part 54-4 of the back surface side main frame part 43. This a rack structure having a higher strength is realized. Applicants respectfully submit that Hathcock does not disclose or suggest a bent part of the sub frame part comes in contact with a bent part of the main frame part, so that the sub frame part reinforces and supports the main frame part, and therefore for at least this reason claim 1 is allowable.

Claims 3-10 depend from claim 1, and therefore each of these claims is allowable for at least the same reason as claim 1 is allowable.

New claim 11 relates to a rack structure body for a machine that includes a frame body provided at one of a side and an opposite side of the rack structure body. In claim 11, the frame body includes a main frame part formed having a quadrangular shape configuration and a sub frame part having a quadrangular shape configuration, and the sub frame part is installed inside of the main frame part. It is respectfully submitted that Hathcock does not disclose this feature. The Examiner asserts that the stationary frame assembly 14 of Hathcock has a rectangular shape configuration. However, as shown in figure 1 of Hathcock, the stationary frame assembly 14 has a configuration as shown below in the figure.

Serial Number: 10/766,657



This shape above is not a rectangle or a quadrangle. Therefore for at least this reason claim 11 is allowable.

The above statements on the disclosures in the cited references represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the respective reference that provide the basis for a view contrary to any of the above-stated opinions.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Serial Number: 10/766,657

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian E. Hennessey
Reg. No. 51,271

CUSTOMER NUMBER 026304
Telephone: (212) 940-6311
Fax: (212) 940-8986 or 8987
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